



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C.

June 24, 2019

RE: 2019-06-138

Mr. Sai
MuckRock News
411A Highland Ave
Somerville, MA 02144-2516

Email: 75115-93325272@requests.muckrock.com

Dear Mr. Sai:

This letter is in response to your Freedom of Information Act (FOIA) request to the U.S. Department of the Treasury, dated June 10, 2019. You seek, "one email per organizational unit for every component agency, office, subcomponent, department, or other formal organizational unit, the single email (but see below re "All parts of the record") that:

- was sent within 3 days of 2019-04-20;
- is from or to any email address, used in official capacity, of any person working for that organizational unit's highest-ranking set of people (e.g. headquarters, senior employees, etc) at the time of the email;
- has an attachment larger than 50 KB; and
- among all emails matching the above two constraints, has a sent timestamp closest to 2019-04-20, 4:20 pm (local time to the person whose email address it is to it from).

Additional FOIA requests

In addition to the records specified in the request-specific section above, I also request:

- all records relating to the fulfillment of this request, such as FOIA logs, documentation of searches, referral emails, etc.

This part of the request is to be processed only after you have completed processing all of the above parts. This part does not request that you create any new record; rather, it requests the records that you will have created in processing the above parts, and will therefore exist before you conduct the search for this part. See *McGehee v. CIA*, 697 F. 2d 1095, 1100-05 (D.C. Cir. 1983) (agency must use time-of-search cut-off date, not time-of-request).

- all records relating to any complaint(s), FOIA request(s)/appeal(s), and/or Privacy Act request(s)/appeal(s) made by me. This includes, but is not limited to:
 - all records relating to the processing my previous requests, complaints, etc;
 - all records containing the terms my name, email address(es), and other contact or identifying information, listed below my signature; and
 - all records containing any of my complaint, request or appeal identifiers.

Parts (B) and (C) must be processed only after you have processed the items above that line, i.e. such that at the time of the search, the records described will have already been created at the time you conduct the search. Part (C) must be processed after part (B) is completed.

Parts (B) and (C) may overlap with similar prior requests. However, the cut-off date is, at earliest, the date that you complete search on all of the above items. If you wish to administratively merge this request with a prior similar request, I consent on condition that you extend the cut-off date for the prior request, and provide rolling updates. Otherwise, you must treat this as a new request.

For all responsive records, I also request:

- all parts of the record (i.e. no portion of a record with some responsive portion may be considered "non-responsive");
- all versions of the record, whether or not currently in use;
- all record metadata, such as dates on which they were drafted, passed, went into effect, withdrawn, or similar events; person(s) / office(s) responsible; authors; IDs; revision numbers; etc.;
- a detailed index of all claims of exemption/privilege, regardless of whether the record is claimed to be exempt in whole or in part;
- access to inspect the record directly, in its native electronic format; and
- if any classification applies, mandatory declassification review (MDR) under E.O. 13526, and the result of the MDR, including any declassified records.

"All parts of the record" means that the "record" should be considered to be the most comprehensive record with any responsive portion. For instance:

- if any portion of an email is responsive, the entire contents of all email thread(s) to which that email belongs is also responsive (including attachments);

- if a record is part of a larger record, such as a responsive table that is in a chapter of a report, then the entire larger record (e.g. the full report) is responsive, together with any appendices, amendments, etc.;
- if a record is part of a book, the entire book is responsive;
- if a record is part of a database, all related database records are responsive; etc.”

Your request has been processed under the provisions of the FOIA, 5 U.S.C. § 552. A reasonable search was conducted for records responsive to your request. The FOIA number 2019-04-20 which was provided in your request is not a Treasury DO control number so therefore a search for records resulted in no documents being located in response to your request.

To the extent that you are seeking records from another component of the U.S. Department of the Treasury, please be advised that the Department of the Treasury has a decentralized system for processing FOIA requests and each component of the Department maintains its own records. Accordingly, please direct your request to the Treasury component(s) you believe have records pertaining to the subject of your request. Additional information regarding the Department’s administration of the FOIA, including a list of Department of the Treasury components and their FOIA contact information, is available at <http://www.treasury.gov/FOIA/Pages/index.aspx>.

There are no fees assessed at this time since allowable charges fell below \$25.

Since Treasury’s response constitutes an adverse action, you have the right to appeal this determination within 90 days from the date of this letter. By filing an appeal, you preserve your rights under FOIA and give the agency a chance to review and reconsider your request and the agency’s decision. Your appeal must be in writing, signed by you or your representative, and should contain the rationale for your appeal. Please also cite the FOIA reference number noted above. Your appeal should be addressed to:

Ryan Law, Deputy Assistant Secretary for Privacy, Transparency and Records
FOIA Appeal
FOIA and Transparency
Privacy, Transparency, and Records
Department of the Treasury
1500 Pennsylvania Ave., N.W.
Washington, D.C. 20220

If you submit your appeal by mail, clearly mark the letter and the envelope with the words “Freedom of Information Act Appeal.” Your appeal must be postmarked or electronically transmitted within **90 days** from the date of this letter.

If you would like to discuss this response before filing an appeal to attempt to resolve your dispute without going through the appeals process, you may contact Paul Levitan, the FOIA

Public Liaison, for assistance via email at FOIAPL@treasury.gov, or via phone at (202) 622-8098.

A FOIA Public Liaison is a supervisory official to whom FOIA requesters can raise questions or concerns about the agency's FOIA process. FOIA Public Liaisons can explain agency records, suggest agency offices that may have responsive records, provide an estimated date of completion, and discuss how to reformulate and/or reduce the scope of requests in order to minimize fees and expedite processing time.

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and federal agencies as a non-exclusive alternative to litigation. If you wish to contact OGIS, you may contact the agency directly at the following address, emails, fax or telephone numbers:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road – OGIS
College Park, MD 20740-6001
Email: ogis@nara.gov
Telephone: 202-741-5770
Toll free: 1-877-684-6448
Fax: 202-741-5769

Please note that contacting any agency official (including the FOIA analyst, FOIA Requester Service Center, FOIA Public Liaison) and/or OGIS is not an alternative to filing an administrative appeal and does not stop the 90-day appeal clock.

You may reach me via telephone at 202-622-0930, extension 2; or via email at FOIA@treasury.gov. Please reference the FOIA number at the top of this letter when contacting our office about this request. If you choose to mail your response, please use the following address:

FOIA and Transparency
Privacy, Transparency, and Records
Department of the Treasury
1500 Pennsylvania Ave., N.W.
Washington, DC 20220

Sincerely,

Charlette Patrick

Charlette Patrick
FOIA Case Manager, FOIA and Transparency
Privacy, Transparency, and Records (PTR)